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TRA	NSMITTAL	Application Number Filing Date	10/020,464
	FORM	First Named Inventor	Tacon et al.
		Art Unit	1651
(to be used for all	correspondence after initial filing)	Examiner Name	Naff, David M.
	ges in This Submission 8	Attorney Docket Number	12905
	EN	NCLOSURES (Check all	il that apply)
Amendment After Affid Extension of Express Aba	Attached	Drawing(s)  Licensing-related Papers  Petition Petition to Convert to a Provisional Application Power of Attorney, Revocatio Change of Correspondence A Terminal Disclaimer Request for Refund  CD, Number of CD(s)  Landscape Table on CD	Address Status Letter Other Enclosure(s) (please Identify below): IDS Letter, Return Receipt Post Card
	sing Parts/	marks .	·

	SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT				
Firm Name	Battelle Memorial Institute				
Signature	Wm & Kubard				
Printed name	William B. Richards				
Date	08-31-2005	Reg. No.	44,301		

### **CERTIFICATE OF TRANSMISSION/MAILING** I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below: Signature Vydy Readman Date 08-31-2005 Typed or printed name

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450, DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PTO/SB/08A (07-05)

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# INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Complete if Known			
Application Number	10/020,464		
Filing Date	11-30-2001		
First Named Inventor	Tacon et al.		
Art Unit	1651		
Examiner Name	Naff David M.		
Attorney Docket Number	12905		

	-		U. S. PATEN	DOCUMENTS	
Examiner Initials*	Cite No.1	Document Number  Number-Kind Code <sup>2 (# known)</sup>	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	A1	<sup>US-</sup> 5,651,900	07-29-1997	Keller et al.	
	A2	us- 5,770,076	06-23-1998	Chu et al.	
	A3	<sup>US-</sup> 5,798,042	08-25-1998	Chu et al.	
	A4	<sup>US-</sup> 5,893,974	04-13-1999	Keller et al.	
	A5	<sup>US-</sup> 5,985,164	11-16-1999	Chu et al.	
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		US-			

FOREIGN PATENT DOCUMENTS						
Examiner Cite	Foreign Patent Document	Publication Date	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages		
		Country Code <sup>3</sup> Number <sup>4</sup> Kind Code <sup>5</sup> (if known)	MM-DD-YYYY		Or Relevant Figures Appear	ľ
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Examiner	Date		
Signature	Consid	dered	

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. Applicant's unique citation designation number (optional). See Kinds Codes of USPTO Patent Documents at <a href="https://www.uspto.gov">www.uspto.gov</a> or MPEP 901.04. Senter Office that issued the document, by the two-letter code (WIPO Standard ST.3). For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.



## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Group:	1651	Certificate Under 37 CFR § 1.10
Attorney Docket:	12905	) I hereby certify that this correspondence is being deposited with the United States Postal Service in ar envelope addressed to Commissioner for Patents, P. O Box 1450, Alexandria, VA 22313-1450 as "Express Mai Post Office to Addressee".
Applicant:	Tacon et,al.	)
Title:	Shaped Microparticles for Pulmonary Drug Delivery	) on August 31, 2005 ) Judy Leadman
Serial No.:	10/020,464	) Judy Readmin )
Filed:	11-30-2001	ED 560240727 US Express Mail Number
Framinar:	Naff David M	)

# INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents P. O. Box 1450 Alexandria, VA 22313-1450

Sir:

Submitted herewith are patents, publications, or other information, which may be material, as defined in 37 CFR § 1.56(b), to the examination of this application, and in respect of which, there may be a duty to disclose in accordance with 37CFR § 1.56(a). Also submitted herewith is Form PTO/SB/08A on which is listed all cited items of information.

The following references are enclosed:

#### **US Patent Documents**

A1	5,651,900	Keller et al.	07-29-1997
A2	5,770,076	Chu et al.	06-23-1998
A3	5,798,042	Chu et al.	08-25-1998
A4	5,893,974	Keller et al.	04-13-1999
A5	5,985,164	Chu et al.	11-16-1999

The Examiner is respectfully requested to initial the space adjacent to each document entry on Form PTO/SB/08A and to return a copy of the initialed form to the undersigned to confirm that the documents have been considered and have been officially made of record.

While the information referred to in this Information Disclosure Statement may be material pursuant to 37 CFR §1.56(b), the filing of this Information Disclosure Statement is not intended, pursuant to 37 CFR §1.97(h), to constitute an admission that any patent, publication, or other information referred to is, or is considered to be, material to the patentability of this invention. Further, pursuant to 37 CFR §1.97(g), the filing of this Information Disclosure Statement should not be construed as a representation that a search has been made. Finally, the filing of this Information Disclosure Statement shall not be construed as a representation that no other material information exists and shall not be construed as an admission against interest in any manner.

Pursuant to 37 CFR § 1.97(b)(3), this Information Disclosure Statement is being filed before the mailing date of a First Office Action on the merits. Applicants believe no fees are due and payable in connection with this submission. In the event fees are due, please charge

Applicant's undersigned counsel's Deposit Account 021266. A duplicate copy of this authorization is enclosed.

If the Examiner has any questions or wishes to discuss this Application, the Examiner is invited to telephone the undersigned representative at the number set forth below.

Respectfully submitted,

William B. Richards, Esq. Attorney for Applicants

Reg. No. 44,301

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